

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Walter C. Hernandez
Application No.: 10/802,388
Filed: March 17, 2004
For: SOUND CANCELING SYSTEMS AND METHODS

Confirmation No. 3689
Group Art Unit: 2615
Examiner: George C. Monikang

Date: June 18, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated March 20, 2008 at least twice rejecting or finally rejecting claims 1-38.

☐ Enclosed is a check in the amount of \$_____ for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1). **Applicant claims small entity status.** See 37 CFR § 1.27.

☐ Please first reapply any previously paid notice of appeal fee and appeal brief.

☐ Payment by credit card is requested. Form PTO-2038 is attached.

☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

☐ Also enclosed: _____

☒ The Commissioner is authorized to charge the Notice of Appeal fee and any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on June 18, 2008.

Signature: Joyce Paoli
Joyce Paoli